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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,208	04/14/2004	Quenton L. Gilbert	C02-0005-001	6064
33190 7590 08/30/2007 CINGULAR WIRELESS LLC 5565 GLENRIDGE CONN., #1725A C/O LINDA GILES, PATENT MANAGER ATLANTA, GA 30342			EXAMINER HASHEM, LISA	
			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			08/30/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/824,208

Applicant(s)

GILBERT, QUENTON L.

Examiner

Lisa Hashem

Art Unit

2614

All participants (applicant, applicant's representative, PTO personnel):

(1) Lisa Hashem.

(3) \_\_\_\_\_.

(2) Jay Ryan (applicant's representative).

(4) \_\_\_\_\_.

Date of Interview: 17 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: U.S. Pat. No. 6,580,784 by Rodriguez; U.S. Pat. No. 6,203,192 by Fortman.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

*Lisa Hashem*

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant's representative submitted proposed amendment for independent claims 1 and 12. The following modification was presented in claim 1: '... searching the database to locate routing information and text formatting information particular to at least one alternate destination device selected by the called party; retrieving the routing information and the text formatting information from the database for the selected alternate destination device associated with the alternate destination device; and forwarding the formatted text message to the alternate destination associated with the selected alternate destination device of the called party...'. Similar proposed amendments were made in claim 12. This limitation is not found in Rodriguez and Fortman and would require a further updated search by the Examiner. Further, Examiner notes that how the selection of an alternate destination device is made by the called party would further clarify the claimed invention.

**VIA FAX: 571-273-7542**

To: Ms. Lisa Hashem  
Patent Examiner  
Art Unit 2165

From: Jay P. Ryan  
Parks Knowlton LLC

Monday, August 20, 2007

**Re: US Serial No. 10/824,208 - Proposed Claim Amendments**

Dear Ms. Hashem:

Thank you for speaking with me in connection with the above-referenced patent application. As we discussed, attached is an informal set of proposed claims for your consideration.

*Fortman* is now cited in combination for disclosing a database including formatting information associated with each type of alternate destination device, which is admittedly not disclosed in *Rodriguez et al.* However, *Fortman* system simply discloses a number of translator components for receiving messages in different formats (*i.e.* voice, fax, text and miscellaneous) and translating these messages into text in ADSI text format that can be received by a subscribers telecommunications equipment. *Fortman* alternatively mentions that the subscriber can use other types of telecommunications equipment capable of receiving text, such as GSM, an internet terminal, or a facsimile machine.

These instances disclosed by *Fortman* all require that a plurality of different types of inputs are translated so as to be viewable on a single type of subscriber telecommunications equipment for receiving messages. This is precisely the opposite of the claimed invention in which a single type of input is presented in a selected text format associated with each of a plurality of different types of destination devices corresponding to a plurality of alternate destinations. It is also noted that there is nothing disclosed or suggested in *Fortman* of a *database* that includes *text formatting information associated with each of the plurality of different types of alternate destination devices*.

I'm hoping we can advance prosecution by determining whether the proposed amendments would

overcome the rejection, or else if we could arrive at some additional language which would. I look forward to speaking with you in the interview at 11:00 AM Wednesday, August 22, 2007.

Very truly yours,

/Jay Ryan/

Jay Ryan

Patent Agent

1. (Currently Amended) A method of routing a text message to an alternate destination



associated with a called party where a first destination is unavailable comprising the steps of:

storing and maintaining a database of ~~customer-provided~~ information provided by the called party including:

[[an]] a plurality of alternate destination destinations associated with a plurality of different types of alternate destination devices; and corresponding routing information corresponding to each alternate destination; and text formatting information associated with each type of the plurality of different types of alternate destination device devices;

receiving a call to the first destination associated with a called party initiated by a calling party, wherein the first destination is unavailable;

based on the unavailability of the first destination, requesting a voice message from the calling party;

receiving the voice message provided by the calling party;

converting the voice message into a text message;

searching the database to locate ~~[[of]] routing information associated with a plurality of alternate destination communication devices for a respective plurality of subscribers, the routing information comprising a directory number and the~~ and text formatting information particular to each type of communication device at least one alternate destination device selected by the called party;

retrieving the routing information and the text formatting information from the database for [[an]] the selected alternate ~~communication~~ destination device associated with the alternate destination of the called party;

formatting the text message in ~~an appropriate~~ the text format required by the at least one selected alternate destination device; and

forwarding the formatted text message to the alternate destination associated with the selected alternate destination ~~communication~~ device of the called party.

12. (Currently Amended) A system for routing a text message to an alternate destination associated with a called party where a first destination is unavailable comprising:

a first switch for receiving a call to a first destination associated with a called party initiated by a calling party, wherein the first destination is unavailable;

a network element, coupled to the first switch, for requesting a voice message from the calling party based on the unavailability of the first destination and receiving the voice message provided by the calling party; and

a voice recognition means, coupled to the network element, for converting the voice message to a text message based on determining an appropriate text format required by the alternate destination;

a database for retaining and selecting ~~customer-provided information provided by the called party including one or more~~ a plurality of alternate destinations associated with a plurality of different types of alternate destination devices, and their corresponding routing information associated with each type of a plurality of alternate destination communication devices ~~device associated with a respective plurality of subscribers~~, the routing information for each communication device including:

a list of directory numbers for corresponding alternate destination communication devices;

formatting information for the corresponding alternate destination communication devices, the formatting information comprises an appropriate text format required for each communication device selectable as the alternate destination and retrieved by the voice recognition means; the system further comprising

a second switch, coupled to the network element, wherein the network element forwards the appropriately formatted text message to ~~[[the]] at least one alternate destination associated with~~ selected by the called party via the second switch.

1, 12

